Applicants: Neil Rasmussen et al.

U.S.S.N.: 10/38,106

#### **REMARKS**

In response to the Office Action mailed May 18, 2004, Applicants respectfully request reconsideration. To further the prosecution of the application, amendments have been made to the claims, the specification and the drawings. Claims 1, 18, 57, 64, 65, 66, 74, 76, 77 and 79 have been cancelled, claims 2, 3, 4, 7, 10, 11, 19, 21, 22, 23, 25, 28, 29, 32, 33, 34, 36, 37, 40, 41, 43, 44, 58, 60, 61, 62, 67, 75, 78, 80, and 81 have been amended, and claims 2-17, 19-56, 58-63, 67-73, 75, 78, 80 and 81 are pending in the application with claims 4, 7, 21, 23, 25, 29, 52, 60, 62, 67, 75, 78 and 80 in independent form. The application as presented is believed to be in allowable condition.

### Consideration of IDS Filed May 5, 2004

An Information Disclosure Statement (IDS) with an accompanying 1449 form was filed by the Applicants for the present application on May 5, 2004. Applicants respectfully request the Examiner to consider the references cited in the IDS and sign and return a copy of the 1449 form to the Applicants with the next Office Action.

#### Objection to Drawings and Amendment to Specification

In the Office Action, the drawings were objected to on the basis that Figure 1 should include the designation --Prior Art--. Figure 1 has been amended to include the legend --Prior Art--. In addition, Figure 7 has been amended to correct informalities. Specifically, in Figure 7, reference number 272 was changed to 273, connector 294B was moved from cable 290C to cable 290B to be consistent with the specification, and the line accompanying reference number 290C was moved to properly point to cable 290C. Replacement pages for Figures 1 and 7 are included in Exhibit B and a marked-up version of Figure 7 showing the changes is included in Exhibit A. Further, the specification was amended on Page 14, line 26 to replace reference numeral 272 with 273 to be consistent with the drawings.

#### Allowable Subject Matter

Claims 52-56 have been allowed, and each of claims 4-12, 14-17, 21-27, 29-51, 60-63, 67-73, 75, 78 and 80 was objected to as being dependent upon a rejected base claim, but

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indicated as allowable if rewritten in independent form to include all of the limitations of its base claim and any intervening claims.

Each of claims 4, 7, 21, 23, 25, 29, 60, 62, 67, 75, 78, and 80 has been amended to be in independent form to include all of the limitations of its base claim and any intervening claims and accordingly, each of these claims is in allowable condition.

Each of claims 5-12, 14, 17, 22, 23, 24, 26, 27, 30-51, 61, 63 and 68-73 depend from one of claims 4, 7, 21, 23, 25, 29, 60, 62, 67, 75, 78 and 80 and is allowable for at least the same reasons.

# Rejected Claims

Claims 1-3, 18-20, 28, 57-59, 64-66, 74, 76, 77, 79 and 81 have been rejected under either 35 U.S.C. §102 or 35 U.S.C. §103 as being anticipated by or obvious in view the prior art. Without acceding to the correctness of the rejections, to expedite the prosecution of the application, claims 1, 18, 57, 64, 65, 66, 74, 76, 77 and 79 have been cancelled herein with Applicants preserving the right to pursue the subject matter of these claims in one or more continuation applications.

Each of claims 2, 3, 19, 20, 28, 58 and 59 have been amended to depend from one of the allowable claims discussed above and is allowable for at least the same reasons.

Claims 2, 10, 11, 19, 22, 32, 33, 34, 36, 37, 40, 41, 43, 44, 58 and 61 have been amended to clarify language contained in the claims, and the amendments to these claims are not narrowing and are not related to the patentability of these claims.

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## **CONCLUSION**

Based on the foregoing, the application is believed to be in allowable condition and a notice to that effect is respectfully requested. If the Examiner has any questions regarding the application, he is invited to contact the Applicant's Attorney at the number provided below.

Respectfully submitted,

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U.S.S.N.: 10/038,106
Entitled: Adjustable Scalable Rack Power System and Method
Our Ref. No.: A2000-700810

ANNOTATED SHEET SHOWING CHANGES

Sheet 7 of 10 Fig. 7

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